



## City of Seattle

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**Department of Planning and Development**  
Diane M. Sugimura, Director

### **CITY OF SEATTLE ANALYSIS, RECOMMENDATION AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Numbers:** 3011447

**Applicant Name:** Caroline Kreiser with Miller Hull Architects

**Address of Proposal:** 208 North 85<sup>th</sup> Street

#### **SUMMARY OF PROPOSED ACTIONS**

Land Use Application to allow a two story, 12,000 sq. ft. expansion for a performing arts theatre, eating and drinking establishment and office space in an environmentally critical area.

The following approvals are required:

**Design Review - Seattle Municipal Code (SMC) Section 23.41**

**Administrative Conditional Use - Seattle Municipal Code Chapter 23.47A.006.** To allow a drinking establishment in an NC2-40 zone.

**SEPA - Environmental Determination** pursuant to SMC 25.05

**SEPA DETERMINATION:** ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS  
☒ DNS with conditions\*  
☐ DNS involving non-exempt grading or demolition or  
involving another agency with jurisdiction

\* Notice of the Early Determination of Non-significance was published on September 29, 2011.

#### **PROJECT DESCRIPTION**

The applicant proposes to design and construct a two-story addition to the existing performing arts Taproot Theatre with a flexible 2,205 square foot black-box performance and rehearsal area (with a removable seating capacity of 99), associated offices, green room, shop for stage sets, and a 1,400 square foot café/wine bar.

Three alternative design schemes were presented. All of the options included a storefront configuration along N. 85th St. Each one differed in the location of the interior two story theatre rehearsal and shop spaces with the preferred one placing them on the central north/south axis. The preferred scheme had a second story outdoor roof deck behind a street front façade which provides the appearance of a second story across the width of the site and has unglazed, punched window openings into the front deck area.

In the preferred option a sidewalk canopy is shown over the lobby entrance area, but not along the full frontage of the proposed building. Landscaping is proposed around the base of existing street trees and on the second story deck, visible through the open “window punch” elements in the façade across the deck area. Additional planted material might be incorporated into the top of canopies over sidewalk areas. The applicants stated they thought patrons were in danger of walking into the busy street and that they are exploring the idea of a low railing separating the curb from the sidewalk.

## **SITE & VICINITY**

The 9,070 square foot site lies within a Neighborhood Commercial Two (NC2P 65) with a 65 foot height limit zone and a pedestrian designation for this portion of N. 85<sup>th</sup> St. Sited mid-block between Greenwood Avenue North on the east and Palatine Avenue North on the west, the property sits between the existing Taproot Theater to the west and a two-story mixed use structure to the east. From the highest elevation along N. 85<sup>th</sup> St, the site descends approximately six feet toward the north.

The site lies within an environmentally critical category one peat settlement prone area. Development should not increase the total impervious surface on the site. The intent of the regulations (SMC 25.09.110) is to prevent the construction of basements or other structures that may require permanent groundwater pumping that could result in settlement. A DPD geotechnical expert will review the plans for conformance to regulations.

Pedestrian oriented retail and restaurants populate the commercial core of Greenwood. Greenwood Ave. and to some extent N. 85th St. are vibrant pedestrian retail and restaurant streets with storefronts along the sidewalk edges in buildings constructed during the streetcar era of development. The subject site is vacant as the result of an arson attack and forms one of the few gaps in the storefront pattern. The pattern continues for some distance to the north and south. To the east and west the pattern of buildings closely positioned to public sidewalks transitions to a pattern with parking along the street within two blocks.

## **ANALYSIS - DESIGN REVIEW**

### **Public Comments**

No members of the public attended this Early Design Review meeting. Written comment, received after the meeting, pointed out that the Greenwood-Phinney Neighborhood Design Guidelines contain in Guideline A-2 states that sidewalks along N. 85<sup>th</sup> Street should have a minimum 12 foot width. The letter also mentions the potential peat layer beneath the site, the visibility of the north elevation will be from redeveloped areas to the north, and a street drainage problem in front of the site creating a “permapuddle” causing repeated splashing across the sidewalk during wet periods.

## **GUIDELINES**

After visiting the site, considering the analysis of the site and context provided by the proponent, and hearing public comment, the Design Review Board members provided the siting and design guidance described below and identified highest priority by letter and number from the guidelines found in the City of Seattle’s “Design Review: Guidelines for Multi-family and Commercial Buildings”.

## **PRIORITIES**

### **Site Planning**

- A-1    Responding to Site Characteristics. The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.**

**Greenwood/ Phinney-specific supplemental guidance:**

Numerous east-west streets offer excellent views of Green Lake, Puget Sound and the Olympic and Cascade Mountains from Greenwood Avenue North. Where possible buildings should be located to take advantage of these views and to enhance views from the public right-of-way. Examples of methods to do this include setbacks from view corridors, landscape elements and street trees to frame views rather than block them, and pedestrian spaces with views of the water and mountains.

The Board discussed existing context with storefronts along N. 85<sup>th</sup> St. on either side of this infill site and the need to provide an attractive north façade as it will be visible from areas to the north.

- A-2    Streetscape Compatibility. The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.**

**Greenwood/ Phinney-specific supplemental guidance:**

- A. Reinforcement of Commercial and Residential Development Patterns:**  
Commercial development in the Greenwood/Phinney corridor has historically been oriented toward the street, with buildings up against the sidewalks. Most residential developments have modest landscaped setbacks and first floors are built slightly above grade to allow for privacy and a sense of transition from the street. Continuing this pattern will reinforce the character of both the business districts and residential areas.
- B.**  
Build commercial development up to the sidewalk where possible. Along North/Northwest 85th Street, new commercial buildings should be set back sufficiently to provide 12-foot minimum sidewalks (including street trees and other plantings). Commercial buildings may be setback off the street if pedestrian-

**oriented space is provided that is enhanced with humanizing components such as trees and other plants, site furnishings and high-quality, well-detailed pavements between the sidewalk and the building.**

The Board discussed the need to see the proposal in its street front context with buildings on either side, requesting this graphic information be presented at the next meeting.

The Board was **not** made aware of an element of the Greenwood/Phinney Design Guidelines calling for 12 foot minimum width sidewalks along N. 85<sup>th</sup> Street.

The Board indicated support for a barrier protecting pedestrians from traffic on N. 85<sup>th</sup> St. and encouraged the applicants to contact SDOT on this issue.

**A-3 Entrances Visible from the Street. Entries should be clearly identifiable and visible from the street.**

At the Early Design Guidance Meeting, the Board stated that this guideline has applicability.

**A-4 Human Activity. New development should be sited and designed to encourage human activity on the street.**

At the Early Design Guidance Meeting, the Board indicated the importance of this guideline.

**C. Architectural Elements and Materials**

**C-1 Architectural Context. New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.**

**Greenwood/ Phinney-specific supplemental guidance:**

- A. Signage:** The design and placement of signs plays an important role in the visual character and identity of the community. Key aspects of this effort are to ensure that the signs are at an appropriate scale and fit in with the building's architecture and the local district. Small signs are encouraged in the building's architecture, along a sign band, on awnings or marquees, located in windows or hung perpendicular to the building façade. The following signs are generally discouraged:
- **Large illuminated box (back-lit "can") signs, unless they are treated or designed to be compatible with the character of surrounding development. Back-lit awnings should be limited to one horizontal-mounted lighting tube. Small neon signs are an alternative as long as they are unobtrusive to adjacent residences.**
  - **Pole-mounted signs. Small monument signs are encouraged as part of low walls screening parking and abutting pedestrian-oriented space. Design should not present a visibility problem to a driver, pedestrian or bicyclist.**

**B. Façade Articulation and Modulation:** Façade articulation and modulation in the Greenwood/Phinney Ridge Planning Area are most critical in multi-family residential buildings. Use of façade articulation and architectural elements is encouraged to make new construction compatible with the surrounding architectural context. Architectural features such as those listed below can add further interest to a building, and lend buildings a human scale:

- **Pitched roof**
- **Covered front porch**
- **Vertically proportioned windows**
- **Window trim and eave boards**

The Board discussed how the proposal must fit well within the existing context. They asked that materials for the next meeting include the nearby buildings to show this relationship.

The Board members considered the location of signage on the proposed building to be important. It indicated they would like to see how signage would be incorporated. The Board said it would like to see how the canopy extent proposed would fit into the existing context.

**C-2 Architectural Concept and Consistency.** Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.

**Greenwood/ Phinney-specific supplemental guidance:**

**A. Architectural Styles:** The Greenwood Avenue North/Phinney Avenue North and North/Northwest 85th Street corridors are characterized by their utilitarian, non-flamboyant, traditional architectural styles (except for churches). Some important points to consider in making new development consistent and compatible with existing development include:

- **small-scale architectural details at the ground level, including color, texture/patterns, materials, window treatment, sculptural elements, etc;**
- **landscaping is an important component of the overall character, particularly for residential development; and**
- **personalization of individual businesses is a key feature of both corridors.**

**B. Building Entrances:** Almost all of the existing buildings located at corners along the Greenwood Avenue North/Phinney Avenue North and North/Northwest 85th Street corridors have entrances at the corner. Even when the principal off-street parking areas are located on the side of the building, a primary building entrance should be located at the corner. This concept is consistent with traditional neighborhood commercial designs and important in facilitating pedestrian activity at the street corners.

At the Early Design Guidance Meeting, the Board discussed the likelihood the rear, north elevation of the proposed building would be visible from publicly accessible areas and indicated that it should be designed in a manner similar in detail, interest and style to the

south, street-facing façade. They indicated that some high windows into the building would be appropriate on the north façade.

- C-3 Human Scale.** The design of new buildings should incorporate architectural features, elements, and details to achieve a good human scale.

**Greenwood/ Phinney-specific supplemental guidance:**

**New multi-story developments should consider methods to coordinate a building's upper and lower stories. The parts should function as a composition—not necessarily requiring the top and bottom to be the same or similar.**

At the Early Design Guidance Meeting, the Board indicated that this guideline has application to the proposal.

- C-4 Exterior Finish Materials.** Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

**Greenwood/ Phinney-specific supplemental guidance:**

**New buildings should feature durable, attractive and well-detailed finish materials. Examples of structures in the neighborhood that feature desirable exterior finish materials are provided in the Appendix.**

- A. Building Materials in the Greenwood Avenue North/Phinney Avenue North and North/Northwest 85th Street Corridors:** Again, buildings within these corridors are characterized by their utilitarian, non-flamboyant, traditional architectural styles. Brick is the most common surface treatment in the commercial areas and should be encouraged. Plastic awnings should be strongly discouraged. As an alternative, architectural canopies are encouraged to provide weather protection and a place for business signage.

The Board indicated importance of the materials proposed and of their detailing. Colors and materials should be shown at the next meeting.

## **D. Pedestrian Environment**

- D-1 Pedestrian Open Spaces and Entrances.** Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

**Greenwood/ Phinney-specific supplemental guidance:**

- A. Pedestrian Open Spaces:** Small, usable open spaces are an important design objective. Open spaces incorporating the following features are encouraged with new commercial and mixed-use development:
- Good sun exposure during most of the year

- **Located in areas with significant pedestrian traffic**
  - **Storefront and/or residential windows face onto open space, at or above the ground level**
  - **There are a variety of places to sit**
  - **Pedestrians have something to look at, whether it is a view of the street, landscaping, a mural, etc.**
- B. North/Northwest 85th Street Corridor and Greenwood Avenue North Corridor, North of North 87th Street: New development should enhance the pedestrian environment and encourage pedestrian activity along the North/Northwest 85th Street corridor and the Greenwood Avenue North corridor, north of North 87th Street. The following measures should be encouraged:**
- **Building entries facing the street**
  - **Pedestrian-oriented facades**
  - **Weather protection**
  - **Below-grade parking, when possible**
- C. Pedestrian Amenities: When possible, new development should integrate pedestrian amenities including but not limited to street trees, pedestrian lighting, benches, newspaper racks, public art and bike racks to maintain and strengthen pedestrian activity.**

At the Early Design Guidance Meeting, the Board discussed the sidewalk area in front of the proposed building and how the building would relate to it. The Board directed the applicant to show the area in front of the exit stairs as transparent, allowing visibility into the building from the sidewalk.

- D-2 Blank Walls. Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable they should receive design treatment to increase pedestrian comfort and interest.**

**Greenwood/ Phinney-specific supplemental guidance:**

**Storefronts are encouraged to be located at the sidewalk edge, particularly in neighborhood commercial districts, and should be continuous, minimizing blank walls. Where unavoidable consider treating blank walls with one or more of the methods suggested in the Citywide Design Guidelines, including:**

- **installing vertical trellis in front of the wall with climbing vines or plant material;**
- **employing small setbacks;**
- **employing different texture, colors, or materials;**
- **providing art or murals.**

The Board discussed the need for active uses and avoidance of bland walls along N. 85<sup>th</sup> St. It stated that there should not be a blank wall and/or blank door where the exit stairs are located on the south wall.

- D-9 Commercial Signage. Signs should add interest to the street front environment and should be appropriate for the scale and character desired in the area.**

At the Early Design Guidance Meeting, the Board requested that the applicants show how signage would be incorporated into the proposed building.

- D-10 Commercial Lighting. Appropriate levels of lighting should be provided in order to promote visual interest and a sense of security for people in commercial districts during evening hours. Lighting may be provided by incorporation into the building façade, the underside of overhead weather protection, on and around street furniture, in merchandising display windows, in landscaped areas, and/or on signage.**

At the Early Design Guidance Meeting, the Board discussed the need to incorporate lighting in a way which provides night time interest. This would be particularly important in areas visible from N. 85<sup>th</sup> St. like the roof deck and visible exit stairway as well as the canopy element.

- D-11 Commercial Transparency. Commercial storefronts should be transparent, allowing for a direct visual connection between pedestrians on the sidewalk and the activities occurring on the interior of a building. Blank walls should be avoided.**

At the Early Design Guidance Meeting, the Board indicated this guideline is applicable.

## **E. Landscaping**

- E-2 Landscaping to Enhance the Building and/or Site. Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture, and similar features should be appropriately incorporated into the design to enhance the project.**

The Board stated that the use of landscape to enhance the building would be important and should be shown in detail at the Recommendation meeting.

## **MASTER USE PERMIT APPLICATION**

The applicant revised the design and applied for a Master Use Permit with design review, ECA and conditional use components on September 15, 2011.

## **DESIGN REVIEW BOARD RECOMMENDATION**

The Design Review Board conducted a Final Recommendation meeting on May 14, 2012 to review the applicant's formal project proposal developed in response to the previously identified priorities. At the public meetings, site plans, elevations, floor plans, landscaping plans, and computer renderings of the proposed exterior materials were presented for the Board members' c



## **Public Comments**

Twenty people attended the Recommendation meeting. No one spoke.

## **PRIORITIES**

At the Recommendation Meeting of the N.W. Design Review Board held on May 14, 2012 a proposal was presented for a new Tap Root Theatre building next to and designed to function as an extension of the existing Tap Root Theatre on N. 85<sup>th</sup> St. in the Greenwood Neighborhood of Seattle. The proposed structure would be two stories along N.W. 85<sup>th</sup> St. The design objective is to complete the commercial frontage along the block between Greenwood Ave. N. and Palatine Ave. N. with a commercial storefront with a steel, weather protecting canopy directly adjacent to the public sidewalk. On the second story, a building expression was shown with punched windows, mullions reminiscent of double hung windows and fiber-cement horizontal siding colored in bright rust red. The pedestrian space in front of the proposal showed awnings, bike racks, benches and a planting strip along the curb with street trees and lower plantings.

The Board expressed strong support for the design shown at the Recommendation Meeting. It commended both the respect the design showed to the existing pattern of surrounding buildings and for what it termed a sophisticated pallet of materials and colors on a simple building. The N.W. Design Review Board recommended approval of the proposal without conditions. No development standard departures were requested.

**Board Recommendations:** The recommendations summarized below were based on the plans submitted at the May 14, 2012 meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans and other drawings available at the May 14<sup>th</sup> public meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the five Design Review Board members present unanimously recommended approval of the subject design

## **DIRECTOR'S ANALYSIS - DESIGN REVIEW**

The Director finds no conflicts with SEPA requirements or state or federal laws, and has reviewed the City-wide Design Guidelines and finds that the Board neither exceeded its authority nor applied the guidelines inconsistently in the approval of this design. The Director agrees with the conditions recommended by the four Board members and the recommendation to approve the design, as stated above.

## **DECISION - DESIGN REVIEW**

The proposed design is **CONDITIONALLY GRANTED.**

**ANALYSIS - ADMINISTRATIVE CONDITIONAL USE (SMC 23.47A.006)**

A. *The following uses, identified as administrative conditional uses on Chart A of Section 23.47A.004, may be permitted by the Director when the provisions of this subsection and subsections A are met:*

1. *Drinking establishments in NC1 and NC2 zones may be permitted as conditional use subject to the following conditions or criteria:*

a. *The size of the drinking establishment, design of the structure, signing and illumination must be compatible with the character of the commercial area and other structures in the vicinity, particularly in areas where a distinct and definite pattern or style has been established.*

The floor plans illustrate the bar/café's integration into the lobby of the expanded Taproot Theater. This integration also occurs on the exterior as no specific expression on the façade announces a café distinct from the overall storefront in keeping with the approach to add to the main street character of North 85<sup>th</sup> St. The only signage would continue to be the Taproot's theater marquee. The addition's design was approved by the Northwest District Design Review Board.

b. *The location, access and design of parking shall be compatible with adjacent residential zones.*

Based on the Land Use Code's parking regulations, parking is not required.

c. *Special consideration shall be given to the location and design of the doors and windows of drinking establishments to ensure that noise standards will not be exceeded. The Director may require additional setbacks and/or restrict openings where the drinking establishment is located on a lot that abut or is across from a residential zone.*

The café will be fully enclosed within the theater's lobby. One assumes that placement and design of the doors and windows of the addition would inhibit noise from entering the two performance spaces and the exterior environment.

d. *Drinking establishment must not generate traffic that creates traffic congestion or further worsens spillover parking on residential streets.*

The café could add approx. 90 daily vehicular trips. At PM peak hour, the project would generate an estimated eight total trips. Fewer than the estimated eight peak hour/café wine bar trips are expected to be new to the vicinity. The theater has 50 spaces available free to its patrons at the Fred Meyer store. Another 50 spaces will become available behind a former Department of Licensing facing at the southwest corner of N. 85<sup>th</sup> St. and Phinney Ave.

The Department concludes that the proposed eating and drinking establishment will not aggravate spillover parking based on the submitted parking report, size of the proposed use, the location along an arterial street, and variety of modes of travel to the establishment utilized by patrons.

**ANALYSIS – ADMINISTRATIVE CONDITIONAL GENERAL PROVISIONS (SMC 23.42.042)**

- A. *All conditional uses shall be subject to the procedures described in Chapter 23.76, and shall meet the following criteria:*
- B. *In authorizing a conditional use, the Director or City Council may impose conditions to mitigate adverse impacts on the public interest and other properties in the zone or vicinity. The use shall not be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.*

The proposal expands the existing Taproot Theatre and adds a 1,400 square foot café/wine bar within the complex's lobby. The theater itself would not want excessive noise generated by the café as it would hinder play production and other associated workings of a theater. Located on the site's frontage facing N. 85<sup>th</sup> St, the café/wine bar would be a minor contributor of decibels to a busy principal arterial.

DPD determines that the proposed use would not be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located. It fills a vacant lot that once housed commercial uses.

- C. *The Director may deny or recommend denial of a conditional use if the Director determines that adverse impacts cannot be mitigated satisfactorily, or that the proposed use is materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.*

The Director does not find that the theater would produce undesirable or adverse impacts.

**DECISION - ADMINISTRATIVE CONDITIONAL USE**

The conditional use application is **APPROVED WITH CONDITIONS** as indicated below.

**ANALYSIS - SEPA**

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated September 14, 2011. The information in the checklist, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision. The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states in part: "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations). Under certain limitations and/or circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

### Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction related vehicles. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The following is an analysis of construction-related noise, air quality, earth, grading, construction impacts, traffic and parking impacts as well as its mitigation.

#### Noise

Noise associated with construction of the mixed use building and future phases could adversely affect surrounding uses in the area, which include residential and commercial uses. Surrounding uses are likely to be adversely impacted by noise throughout the duration of construction activities. Due to the proximity of the project site to residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted.

Prior to issuance of demolition, grading and building permits, the applicant will submit a construction noise mitigation plan. This plan will include steps 1) to limit noise decibel levels and duration and 2) procedures for advanced notice to surrounding properties. The plan will be subject to review and approval by DPD. In addition to the Noise Ordinance requirements to reduce the noise impact of construction on nearby properties, all construction activities shall be limited to the following:

- 1) Non-holiday weekdays between 7:00 A.M and 6:00 P.M.
- 2) Non-holiday weekdays between 6:00 P.M. and 8:00 P.M limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
- 3) Saturdays between 9:00 A.M. and 6:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
- 4) Emergencies or work which must be done to coincide with street closures, utility interruptions or other similar necessary events, limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.

#### Air Quality

Construction for this project is expected to add temporarily particulates to the air that will result in a slight increase in auto-generated air contaminants from construction activities, equipment and worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). To mitigate impacts of exhaust fumes on the directly adjacent residential uses, trucks hauling materials to and from the project site will not be allowed to queue on streets under windows of the nearby residential buildings.

### Earth

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material.

The soils report, construction plans, and shoring of excavations as needed, will be reviewed by the DPD Geo-technical Engineer and Building Plans Examiner who will require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary to assure safe grading and excavation. This project constitutes a "large project" under the terms of the SGDCC (SMC 22.802.015 D). As such, there are many additional requirements for erosion control including a provision for implementation of best management practices and a requirement for incorporation of an engineered erosion control plan which will be reviewed jointly by the DPD building plans examiner and geo-technical engineer prior to issuance of the permit. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

### Grading

Excavation to construct the mixed use structure will be necessary. The maximum depth of the excavation is approximately one foot and will consist of an estimated 225 cubic yards of material. The soil removed will not be reused on the site and will need to be disposed off-site by trucks. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. Future phases of construction will be subject to the same regulations. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

### Construction Impacts

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

### Traffic and Parking

Duration of construction of the theater addition may last approximately 12 months. During construction, parking demand will increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities and parking (SMC 25.05.675 B and M).

The construction of the project also will have adverse impacts on both vehicular and pedestrian traffic in the vicinity of the project site. During construction a temporary increase in traffic volumes to the site will occur, due to travel to the site by construction workers and the transport of construction materials. Approximately 225 cubic yards of soil are expected to be excavated from the project site. The soil removed for the garage structure will not be reused on the site and

will need to be disposed off-site. Excavation and fill activity will require approximately 23 round trips with 10-yard hauling trucks or 11 round trips with 20-yard hauling trucks. A construction traffic management plan, to be submitted to DPD and SDOT prior to the beginning of construction shall indicate how pedestrian connections around the site will be maintained during the construction period. Compliance with Seattle's Street Use Ordinance is expected to mitigate any additional adverse impacts to traffic which would be generated during construction of this proposal.

### Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area; increased demand for parking; and increased light and glare.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: The Stormwater, Grading and Drainage Control Code which requires on site collection of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, due to the size and location of this proposal, green house gas emissions, traffic, parking impacts and historic preservation warrant further analysis.

### Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

### Historic Preservation

Across the street and approximately one-block from the site stands a landmarked antique street clock in front of Greenwood Jewelers. The proposal would have no adverse impact on the designated city landmark.

### Traffic and Transportation

The proposed expansion of the Taproot Theater would produce approximately 110 new daily vehicle trips, 11 of which would occur at the PM peak hour. The new offices would produce 20 daily trips (three PM peak hour) and the café/wine bar would generate 90 daily trips (eight PM peak hour). The proposed black box theater space is expected to generate some new daily trips. The planned capacity of 99 seats would produce performance related traffic less than that already generated by the main stage. The traffic generation associated with new classes at the site is also expected to be minimal with few if any trips generated during the commuter PM peak hour.

No SEPA mitigation of traffic impacts to the nearby intersections is warranted.

### Parking

Patrons and staff of the Taproot Theater have several parking options. Patrons may park free at the Fred Meyer store in the southeast area of the business' lot, at a paid lot behind the theater and at paid parking lot behind the Chase Bank. These lots contain approximately 152 parking spaces. The theater is adding a second free parking lot with 50 spaces behind a former Department of Licensing facing at the southwest corner of N. 85<sup>th</sup> St. and Phinney Ave. Patrons also use street parking on Palatine Ave between N. 85<sup>th</sup> and N. 87<sup>th</sup> Streets and N. 87<sup>th</sup> St. between Greenwood Ave. N. and 1<sup>st</sup> Ave. NW. The proposed supply would meet parking demand produced by the new development.

### Summary

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are anticipated to be non-significant. The conditions imposed below are intended to mitigate construction impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

## **DECISION - SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2C.
- [ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2C.

## **CONDITIONS – DESIGN REVIEW**

### Prior to Commencement of Construction

1. Arrange a pre-construction meeting with the building contractor, building inspector, and land use planner to discuss expectations and details of the Design Review component of the project.

### Prior to Issuance of all Construction Permits

2. Embed the MUP conditions in the cover sheet for all subsequent permits including updated building permit drawings.

Prior to Issuance of a Certificate of Occupancy

3. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Bruce P. Rips, 206.615-1392). An appointment with the assigned Land Use Planner must be made at least three (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.

For the Life of the Project

4. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Bruce Rips, 206.615-1392) or by the Design Review Manager. Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.

**CONDITIONS – SEPA**

Prior to Issuance of a Demolition, Grading, or Building Permit

5. A construction traffic management plan shall be submitted to DPD and SDOT prior to the beginning of construction. This plan will identify construction worker parking and construction materials staging area; truck access routes to and from the site for excavation and construction phases; and sidewalk and street closures with neighborhood notice and posting procedures.

During Construction

6. Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as that listed below, will be permitted on Saturdays from 9:00 A.M. to 6:00 P.M.:
  - A. Surveying and layout.
  - B. Testing and tensioning P. T. (post tensioned) cables, requiring only hydraulic equipment (no cable cutting allowed).
  - C. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.
7. In addition to the Noise Ordinance, requirements to reduce the noise impact of construction on nearby properties, all construction activities shall be limited to the following:
  - A. Non-holiday weekdays between 7:00 A.M and 6:00 P.M.
  - B. Non-holiday weekdays between 6:00 P.M. and 8:00 P.M limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.



- C. Saturdays between 9:00 A.M. and 6:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
  - D) Emergencies or work which must be done to coincide with street closures, utility interruptions or other similar necessary events, limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
8. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.
9. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Compliance with all applicable conditions must be verified and approved by the Land Use Planner, Bruce Rips, (206-615-1392) at the specified development stage, as required by the Director's decision. The Land Use Planner shall determine whether the condition requires submission of additional documentation or field verification to assure that compliance has been achieved.

Signature: \_\_\_\_\_ (signature on file) Date: August 16, 2012  
Bruce P. Rips, AAIA, AICP  
Department of Planning and Development

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